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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/394,165	09/13/1999	WILLIAM J. SEQUEIRA	3063/40	3848

29858 7590 12/09/2002

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EXAMINER

QUELER, ADAM M

ART UNIT PAPER NUMBER

2176

DATE MAILED: 12/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/394,165

Applicant(s)

SEQUEIRA, WILLIAM J.

Examiner

Adam M Queler

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: Application received on 9/13/1999
2. Claims 1-21 are pending in the case. Claims 1, 17, 20, and 21 are independent claims.

#### ***Drawings***

3. The drawings were objected to by the draftsperson, please see attached form PTO-948.

#### ***Claim Objections***

4. Claim 6 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 6 claims distributing in accordance with the presentation sequence claimed in claim 5. Claim 5 is dependent on claim 1, which claims distributing the content.

#### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 5-11, 14-16, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by **Logan et al. (USPN 5802299, issued 9/1/1998), herein referred to as Logan.**

**Regarding independent claim 1**, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19), capturing content from

locations (col. 6, ll. 33-57), transforming the content in accordance with transformation techniques (col. 6, ll. 59-63), and inserting and distributing the content (col. 7, ll. 5-25).

**Regarding dependent claims 5**, Logan discloses a data structure (col. 9, ll. 19-22), and sequence data specifying a presentation sequence (col. 9, ll. 24-56)

**Regarding dependent claim 6**, Logan discloses distributing based on sequence data (col. 9, ll. 24-56).

**Regarding dependent claim 7**, Logan discloses distributing the content in a cyclical fashion (col. 9, ll. 50-53).

**Regarding dependent claim 8**, Logan discloses distributing the content in random order (col. 9, ll. 50-53).

**Regarding dependent claim 9**, Logan discloses distributing the content in a predefined order (col. 9, ll. 24-33).

**Regarding dependent claim 10**, Logan discloses a duration time (col. 9, ll. 61-66).

**Regarding dependent claim 11**, Logan discloses a list of locations, retrieving them and storing them in a memory device (col. 18, ll. 26-54).

**Regarding dependent claim 14**, Logan discloses the locations are Internet sites and capturing content compromises retrieving content from the sites (col. 6, ll. 37-44)

**Regarding dependent claim 15**, Logan discloses locations including locally accessible media (col.6, line 36).

**Regarding dependent claim 16**, Logan discloses locations including remote storage media (col. 6, ll. 37-44)

**Regarding dependent claim 18**, Logan discloses distributing the content (col. 7, ll. 5-25).

**Regarding dependent claim 19**, Logan discloses identifying the templates (col. 5, ll. 9-19), and ordering scheme (col. 9, ll. 24-66).

**Regarding independent claim 20**, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19), capturing content from locations (col. 6, ll. 33-57), transforming the content in accordance with transformation techniques (col. 6, ll. 59-63), and inserting the content (col. 7, ll. 5-25).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Logan.**

**Regarding independent claim 17**, Logan discloses storing locations where content is available (col. 4, l. 64-col. 5, l. 10), and transformation techniques (col. 5, ll. 9-19). Logan also discloses inserting and distributing the content (col. 7, ll. 5-25). It was well-known in the art to have a controller retrieve information from a memory. It would have been obvious to one of ordinary skill in the art at the time of the invention to have control the other engines with this controller in order to allow the components to communicate with each other.

9. **Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan as applied to claim 1 above, and further in view of Allport (USPN 6097441—filed December 31, 1997).**

**Regarding dependent claim 12**, Logan is silent as to encoding the content. Allport discloses encoding the content to be suitable for television display (col. 13, ll. 61-66). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Allport into Logan to enable display on television.

**Regarding dependent claim 13**, Allport discloses broadcasting pages over a television channel (col. 4, ll. 34-52).

10. **Claims 2 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan and further in view of HTML 4.01 Specification, W3C Proposed Recommendation, 24 August 1999, “<http://www.w3.org/TR/1999/PR-html40-19990824/>” Chapter 16, herein referred to as W3C.**

**Regarding dependent claim 2**, Logan discloses a plurality of location at which content is available. Logan is silent as to putting a plurality of content into slots. W3C discloses inserting content into slots. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify W3C into Logan in order to present documents in multiple views.

**Regarding independent claim 21**, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19), transforming the content in accordance with transformation techniques (col. 6, ll. 59-63), Logan is silent as to putting a plurality of content into slots. Logan also discloses a defined sequence (col. 9, ll. 24-33). W3C discloses inserting content into slots. It would have been obvious to repeat the step in order to fill up these slots.

**11. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan in view of W3C as applied to claim 2 above, and further in view of Qureshi et al. (USPN 6396500 filed 3/18/1999), herein referred to as Qureshi.**

**Regarding dependent claim 3,** Logan and W3C are silent as to resizing the content. Qureshi discloses resizing the content to fit into a slot (col. 6, ll. 2-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Qureshi into Logan and W3C in order to fit content onto the screen.

**Regarding dependent claim 4,** Logan and W3C are silent as to resizing the content. Qureshi discloses resizing the content to fit into a slot (col. 6, ll. 2-33). Qureshi also discloses resizing based on the coordinates and size of the slots (col. 6, ll. 37-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Qureshi into Logan and W3C in order to fit content onto the screen.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- USPN-5,802,299 to Logan et al.
- USPN-6,396,500 to Qureshi et al.
- US-PN6,097,441 to Allport, David E.
- US-PN5,712,995 to Cohn, Robert M.
- USPN-6,317,782 to Himmel et al.
- USPN-6,434,565 to Berstis et al.
- USPN-6,032,130 to Alloul et al.
- USPN-6,317,757 to Sakamaki, Katsuya

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M Queler whose telephone number is (703) 308-5213. The examiner can normally be reached on Monday-Friday.

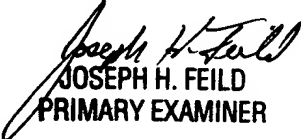
Application/Control Number: 09/394,165  
Art Unit: 2176

Page 7

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5631.

AQ  
December 3, 2002

  
JOSEPH H. FEILD  
PRIMARY EXAMINER



Attachment for PTO-948 (Rev. 03/01, or earlier)  
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes **incorporated** therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.